

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK


-----X	:	
SHENG-WEN CHENG,	:	
	:	
Plaintiff,	:	23-CV-7602 (VSB)
	:	
-against-	:	<u>ORDER</u>
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant.	:	
-----X	:	

VERNON S. BRODERICK, United States District Judge:

Plaintiff, who is proceeding pro se, seeks voluntary dismissal of the above-titled action without prejudice. (Doc. 61.) I am construing Plaintiff’s letter request, which was docketed on January 2, 2025, as a notice of voluntary dismissal under Rule 41(a)(1)(A)(i) of the Federal Rules of Procedure. Rule 41(a)(1)(A)(i) states that “the plaintiff may dismiss an action without a court order by filing . . . a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Defendant has not served either an answer or a motion for summary judgment in this action and is therefore dismissed. Although a court order is not required under Rule 41(a)(1)(A)(i), for the avoidance of doubt, the Clerk of Court is respectfully directed to terminate this case.

SO ORDERED.

Dated: January 8, 2025
New York, New York


VERNON S. BRODERICK
United States District Judge